

FILED

JUL 29 2010

GENERAL ORDINANCE NO. 15, 2010CITY CLERK

AN ORDINANCE TO AMEND *TERRE HAUTE CITY CODE* SEC. 6-183, PENALTIES FOR VIOLATION OF THE CITY'S ABANDONED AND JUNKED VEHICLES PROVISIONS.

WHEREAS, the *Terre Haute City Code* and Indiana statutes contain certain provisions regulating the enforcement of abandoned and junked vehicles on property within the City of Terre Haute; and

WHEREAS, while Indiana Code § 9-22-3-34 provides that any person who violates the provisions of the state statutes regulating abandoned and junked vehicles for which there is no specific penalty commits a Class B Misdemeanor, the City of Terre Haute has adopted local ordinances providing additional regulation; and

WHEREAS, it has been determined that the *Terre Haute City Code* Sec. 6-183 is incorrect in providing the penalty of a misdemeanor for an ordinance violation; and

WHEREAS, the fine for a violation of such ordinances provisions has not been increased for over ten (10) years.

THEREFORE, BE IT ORDAINED by the Common Council of the City of Terre Haute as follows:

SECTION 1. *Terre Haute City Code* Sec. 6-183 is hereby amended by deletion of the stricken text and insertion of the underlined text as follows:

**Sec. 6-183 Penalties.**

Any person violating any of the provisions of this Article shall be deemed guilty of an ordinance violation ~~misdemeanor~~, and upon judgment conviction thereof, shall be fined in an amount not exceeding One Three Hundred Dollars (\$100.00) (\$300.00) and each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder. (Gen. Ord. No. 10, 2000, 5-11-00)

SECTION 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

WHEREAS, an emergency exists for the immediate taking effect of the Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of Terre Haute, Indiana and its approval by the Mayor and publication as required by law.

Introduced by: \_\_\_\_\_ George Azar, Councilman

Passed in open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_ Neil Garrison, President

ATTEST: \_\_\_\_\_ Charles P. Hanley, City Clerk

Presented by me to the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_ Charles P. Hanley, City Clerk

Approved by me, the Mayor, this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_ Duke A. Bennett, Mayor

ATTEST: \_\_\_\_\_ Charles P. Hanley, City Clerk